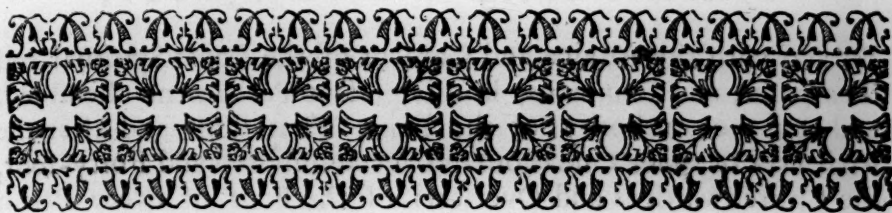


*Leave to bring in 18.12.1740**Passed**23 3. 1741*

13

14 Geo II c.30

*The BILL (with the AMENDMENTS)
for the more Speedy and Effectual Man-
ning of His Majesty's Fleet.*

The Parts of the Bill which the Committee left out, are included within Red Brackets []

The Amendments added to the Bill by the Committee, are printed in Red Characters.

The Two Clauses added by the Committee are likewise in Red Characters, and are the last in the Bill.



Whereas the Prosperity and Welfare of these Kingdoms, and of the Islands and Territories thereto belonging, intirely depend on an uninterrupted and free Enjoyment of an extensive Trade and Commerce :

And whereas the Security and Protection thereof, as well as of these Kingdoms, greatly depend on a due Regulation and Management of our Naval Force :

And whereas the present Method of Manning the Royal Navy hath been found by Experience to be attended with many ill Consequences, and ineffectual for the Purpose intended :

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Be

Be it therefore Enacted,

By the KING's Most Excellent MAJESTY,

By and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *June* One thousand Seven hundred and Forty-four, the Churchwardens and Overseers of the Poor of every Parish or Place within the Kingdom of *Great Britain* (taking the Constable, Headborough, or any other Peace-Officer, to their Assistance) shall, in the First Week of every Month preceding the Quarter-Sessions, take an Account, and make a true and exact List in Writing of all Seamen, Seafaring Men, Fishermen, and other Persons, whose Business call or require them to work upon the Water for their Livelihood, as Watermen, Bargemen, Lightermen, or otherwise, and are Inhabitants, or Lodgers, or Boarders in private or publick Houses in the said Parish; and that all Keepers of publick Houses shall, and they respectively are hereby required to, give a true Account in Writing to such Churchwardens, Overseers, Constable and Headborough, or one of them, of such Lodgers or Boarders, with their Names, Ages, and Descriptions respectively; and for what Space of Time he and they have so lodged or boarded; which said List, when so made up, as aforesaid, shall be signed by the Churchwardens and Overseers of the Poor, or major Part of them, and also by the Constable [and] or Headborough, and delivered by [them, or of them] One or more of the Churchwardens or Overseers, on Oath, to the Justices of the Peace at their Special Sessions, which shall be held next and immediately before the Quarter Sessions held for any County, Riding, City, Town or Place wherein the aforesaid Parish or Parishes doth or do lie; to be then and there signed by the Justices assembled at such [Quarter] Special Sessions, or [the Part] any Two of them then present: And such List, so signed, shall be delivered, with the petty Constable's Presentment, to the Chief or High Constable of the Hundred or Place wherein such Parish doth lie: And such Chief or High Constable, or the succeeding Chief or High Constable, shall, and he is hereby required to, deliver in the same List unaltered, with his Presentments, at the next General or Quarter Sessions, on Oath; which Lists, when delivered [on Oath] as aforesaid, shall be filed, and kept of Record by the [Clerk] Clerks of the Peace of the respective Counties, Ridings, Cities, Towns and Places wherein the said Parishes respectively lie; and a true
Copy

Copy thereof shall be transmitted by [him] them, within the Space of Thirty Days, to the Lord High Admiral of *Great Britain*, or to the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, on the Penalty of forfeiting the Sum of Five Pounds for every such Offence.

And be it further Enacted, by the Authority aforesaid, That from and after the said First Day of *June*, [the Collectors of the Customs of the respective Ports in the Kingdoms of *Great Britain* and *Ireland*, and in the Islands and Territories thereunto belonging, shall, before any Ship or Vessel is cleared from such Port in order to sail from thence, demand and take from the Commander and Master of every such Ship or Vessel, the Names, Ages, Descriptions, and actual or casual last Place of Abode or Residence of every Seaman or Seafaring Man belonging to such Ship and Vessel: And the Collector of any Port shall, on the Return of any Commander and Master with any Ship or Vessel to such Port, require of such Commander and Master a particular Account, whether all or any of the Men which sailed with him are returned; and if any are wanting, such Commander and Master shall, and they are hereby respectively required to, give an Account in Writing, what is become of them that are wanting: Which said Accounts shall be returned by the respective Collectors of the Customs,] the Master of every Ship or Vessel, bound either Coastways or Over-sea, before he sails from any of the Ports of the Kingdom of *Great Britain*, shall deliver to the Collector of the Customs of the Port he sails from, a List in Writing, signed by him, of the Names, Ages, Descriptions, and actual or casual last Place of Abode or Residence of every Seaman or Seafaring Man belonging to such Ship or Vessel; and the Collector of every Port shall, at Entry or Report of the Commander or Master of every Ship and Vessel at such Port, require of such Commander or Master an authentick Copy, upon Oath, of the List he delivered in to the Collector of the Customs of the Port from whence he sailed, and a particular Account whether all or any of the Men which sailed with him, are returned; and if any are wanting, such Commander or Master shall, and they are hereby respectively required to, give an Account in Writing what is become of them; which said Account shall be, by the respective Collectors of the Customs, sent up with their Quarterly Account to the Commissioners of the Customs, who are hereby required, within Thirty Days, to transmit the same to the Lord High Admiral

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of *Great Britain*, or to the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being: And in case any Person or Persons shall wilfully neglect or refuse to do, as he and they is and are [before] hereby directed and required to perform, every such Person or Persons so offending, and being thereof convicted, upon Oath, before any One or more Justice or Justices of the Peace, of the County or Place where the Offence shall happen to be committed, (which Oath such Justice or Justices is and are hereby empowered and required to administer) shall, for every such Offence, forfeit the Sum of Five Pounds.

And be it further Enacted, by the Authority aforesaid, That from and after the First Day of *September* One thousand Seven hundred and Forty-four, all [Parochial and Custom-house] Returns in the Kingdom of *Ireland* shall be made there in like manner as aforesaid, to the Lord Lieutenant of that Kingdom, who shall transmit the same within Sixty Days to the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being; and that the like Returns shall be made to the Governors of the respective Colonies in *America*, who shall, within Six Calendar Months, transmit the same to the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, that it may appear what Number of Persons are capable of serving his Majesty, and his Successors, for the Defence of these Kingdoms, and for protecting the Trade and Commerce thereof.

And be it further Enacted, by the Authority aforesaid, That when a Number of Seamen shall be voted and provided for by Parliament for the Sea Service, in any one Year, the Lord High Admiral, or the Commissioners for the executing the Office of Lord High Admiral for the Time being, do, from or out of the said several Returns made to them, nominate and appoint such proportionable Numbers of Men, of each Denomination, as shall be requisite for the Service of the Publick, [for that Year] from each Town or Parish respectively; [and at the End or sooner Determination of such Service, all such Seamen, Seafaring Men, Fishermen, Watermen, and Men getting their Living on the Water, as aforesaid, shall receive their full Wages due to them, for such their serving his Majesty, his Heirs and Successors; and shall have a Certificate from

of their having so served respectively ; and shall, by virtue of this Act, be exempted from being called upon for any publick Service, till all such as are liable to serve, as by the Rotation herein after directed, shall, in their Course, have served likewise ; that they may, during that Interval, be left at their free Choice of Acceptance of advanced Wages from Merchants, or any other of his Majesty's Subjects having Occasion for their Service, so that they may be thereby fully compensated for their faithful Service, during the Time of their Rotation, as aforesaid.] And that it shall and may be lawful to and for any One or more of his Majesty's Justices of the Peace, assembled at any Special Sessions for any Division, or chief Magistrate of any City, Town or Place in the Kingdom of *Great Britain*, &c. upon Application made to them by the Lord High Admiral of *Great Britain*, or by the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, to send Notice in Writing to the Churchwardens or Overseers of the Poor of any Parish or Place where any Seamen or Seafaring Men reside, to appear at the Time and Place by them appointed, there to deliver in a true Copy of the List of such Seamen, which was delivered in by the Officers of the respective Parishes the last Sessions : And the said Justices are hereby required to cause the Names of all such as are returned as liable to serve, from each Town or Parish respectively, to be wrote singly on small Pieces of Paper ; which Paper shall be rolled up and put into a Ballotting-Box ; and the Number of Names required to be drawn from thence by some indifferent Person, whom the said Justices shall appoint, in such Manner as the Names of Jurors are drawn, in order to try Causes at the respective Assizes held for the several Counties and Places of this Kingdom ; Which Names so drawn are to be entered into a List, and returned by the said Justices to the Lord High Admiral, and a Copy of it sent to the Constable or Headborough of each Town or Parish respectively, with Orders for him to give Notice to the respective Persons to repair to the Place appointed within the Space of Forty Days, for which every such Seaman shall be paid and allowed Conduct-money for his Repairing to enter into the publick Service, and go on board such Ship as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, shall assign or appoint ; or on Neglect or Refusal thereof, every such Person shall forfeit Seven Pounds.

B

And,

And, for the due Execution of the Powers aforesaid, Be it further Enacted, by the Authority aforesaid, that the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, shall, and they are hereby required to, observe an equal and impartial [Distribution of the Persons to serve on such Rotations, as aforesaid,] Execution of the several Provisions in this Bill, so as the Burdens and Advantages hereby intended, may be borne and enjoyed without Partiality; on which the Success of the whole depends.

[And be it further Enacted, by the Authority aforesaid, That when and as often as any Number of Seamen is settled, and voted by Parliament for the publick Service, for a Year or any other Space of Time, it shall and may be lawful to and for any or more of his Majesty's Justices of the Peace, assembled at any petty or special Sessions, for any Division, or chief Magistrate of any City, Town or Place in the Kingdom of *Great Britain*, upon any Application made to them by to send Notice in Writing to the Churchwardens and Overseers of the Poor of any Parish or Place where any Seamen or Seafaring Men are resident or found, to return the Names of such a Number of them as shall be demanded from their respective Towns or Parishes, to the said Justices; who are hereby required to return the same to the Lord High Admiral, or to the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being; and the Churchwardens and Overseers aforesaid shall immediately, on the Delivery of such Notices, cause the Names of all Men returned, as are liable to serve from such Town or Parish, to be wrote singly on small Pieces of Paper, which Paper shall be rolled up and put into a Box, (to be by the said Churchwardens and Overseers prepared for that Purpose) for each respective Town or Parish; and the Names which shall be first drawn, out of the Number of Men required to serve for each respective Town or Parish, shall serve in the first Rotation of Service, and shall be drawn in such manner, as the Names of Juries are drawn in order to try Causes at the respective Assizes held for the several Counties and Places in this Kingdom.]

And be it further Enacted, by the Authority aforesaid, That the like Method shall be pursued for drawing from those who have not served in their Rotation, the necessary Numbers of those that are to serve on the succeeding Rotations, and so on, till every one shall have served in his Turn.

[And

[And be it further Enacted, That all and every such Seamen, or Seafaring Men, whose Names shall be so drawn and returned for the Service of the Publick, as aforesaid; being paid or allowed the usual Conduct-money, do, within the Space of enter into such Service, and go on board such Ship or Ships as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, shall assign or appoint them; and on Refusal or Neglect thereof, shall]

Provided always, and it is hereby Declared and Enacted, That it shall and may be lawful to and for any Person or Persons so returned to serve as aforesaid, to excuse himself therefrom, by procuring any other Person to serve for him, and by Payment of the Sum of Seven Pounds to the Treasurer of the Navy, to be paid to such Person or Persons as shall serve in his place or stead: But it is hereby Declared, That such Service for another, and for which he shall be so rewarded, is not to exempt the Person so serving for another, from his Duty of serving in his own Rotation, when it comes to his Turn.

And be it further Enacted, by the Authority aforesaid, That the Churchwardens and Overseers before-described shall immediately, on their respective Returns of all Seamen and Seafaring Men in pursuance of this Act, and upon Application to them made for that Purpose by such Seamen and Seafaring Men, sign a Certificate in Writing thereof; in which shall also be expressed their Names, and (as near as may be) Ages and other Descriptions respectively, and the Day of the Return thereof; which Certificate is hereby directed to be produced by the Persons respectively in such Certificate described, to the Master, or other Person having the Command of any Ship or Vessel; who is [and are] hereby required forthwith to enter the Date and Substance of the same in a Book to be by [them] him kept for that Purpose: And in case any such Master, or Person having the Command of any Ship or Vessel, shall receive any Seaman, or Seafaring Man, without having first produced to [them] him such Certificate as aforesaid; or if after the same shall be produced, such Master, or other Person having the Command of any Ship or Vessel, shall neglect or omit making such Entry as aforesaid, or shall do any thing contrary to this Act, such Master or Person shall forfeit Five Pounds.

Provided always, and it is hereby Declared and Enacted, That all Persons, being actual Commanders or Masters of Ships
or

or Vessels, of any Denomination, shall not be liable to be returned as aforesaid, nor their Apprentices, until [their having] such Apprentices have attained the Age of Eighteen Years.

And, for the more effectual obliging Persons to serve according to their respective Rotations, **Be it further Enacted**, by the Authority aforesaid, That every Person who shall withdraw himself from serving the Publick, during the whole Time allotted for his Rotation of Service, shall forfeit one half of the Wages that shall become due to him for his Service, during the time he should have served the Publick on such his Rotation of Service; and that the respective Masters, with whom he shall have so served, are hereby prohibited from Paying him personally such one half Part of his said Wages, for such his said Service: And the said Masters are hereby respectively required to pay such one half Part of his Wages, due for his Service within that [Period of that] Time, to the Treasurer of his Majesty's Navy only to be applied in Rewards to him or them who shall voluntarily choose to serve his Rotation for him, or for such further Uses as this Act directs.

and, for a further Encouragement to all Persons who shall duly serve in their Rotation in the publick Service aforesaid, **Be it further Enacted**, by the Authority aforesaid, that every Person, after he has duly served in his Rotation, according to the Directions of this Act, and having a Certificate thereof from the Captain or Captains of the Ship or Ships on board which he so served, every such Person [so having served, as aforesaid] shall [for after] be exempted from any such further Service, till all Persons liable to serve by this Act shall have likewise served in their Rotation: And that every Person who shall have served on Board the Royal Navy for the Space of Three Years, and shall be disabled by Age, Wounds or other Infirmities from any further Service at Sea, and who shall not receive any Pension from the Chest at *Chatham*, or any Maintenance or Provision [in] from *Greenwich* Hospital, or out of the Revenues thereof, or otherwise, shall have and receive from his Majesty, his Heirs and Successors, the yearly Pension of Four Pounds, until he shall be provided for in the Royal Hospital at *Greenwich*, or otherwise; and the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being respectively, or any Three or more of the said Commissioners, upon Application of every such Seaman, and due Examination and Proof made of his being qualified and intitled

titled to receive such Pension, within the Tenor and true Meaning of this Act, is and are hereby authorized and required to order a Warrant to be made out, and issued to the Commissioners of the Navy for the Time being, for the Payment of the same ; and they, upon Receipt of the said Warrant, are hereby authorized and required to order and direct the Payment of such Pension, as aforesaid.

And it is hereby further Enacted, That if any Seaman, under the Degree of a Warrant or Commission Officer, entering voluntarily into the Service of his Majesty, his Heirs and Successors, shall be killed or drowned in the said Service, and shall leave a Widow [to whom he was lawfully married] ; every such Widow, sending or producing to the Commissioners of the Navy a Certificate, under the Hands of the Minister or Curate, Churchwardens and Overseers of the Poor of the Parish wherein she resides, that she is the real Widow of the Seaman so killed or drowned, shall receive such Sum of Money by way of Bounty, as shall amount to and be equivalent with One Year's Pay or Wages of such Seaman ; computing the same according to the Rate of the monthly Wages or Pay he served for, or was intitled to at the Time of his Death : And the Commissioners of the Navy for the Time being are hereby authorized and required, upon producing such Certificate at the Navy-Office, to order and direct the Payment of such Bounty-money accordingly.

And whereas many able Seamen and Seafaring Men belonging to several Towns and Parishes in this Kingdom, employ themselves in Owling and Smuggling, and may not be within the Descriptions of Seamen and Seafaring Men, sailing for Wages as aforesaid ; Be it therefore Enacted, by the Authority aforesaid, That all and every Justice or Justices of the Peace within the several Counties, Ridings, and Places of this Realm, and the Dominion of *Wales*, and Town of *Berwick* upon *Tweed* ; and all Mayors, Bailiffs, and other chief Magistrates of the respective Cities, Boroughs, and Towns Corporate within the same, and every of them ; shall, and they and every of them respectively is and are hereby authorized to cause all such Owlers and Smugglers to be taken up and sent into the publick Service for the Space of Seven Years.

And, for the better supplying his Majesty's Navy with Seamen for the future ; Be it further Enacted, by the Authority aforesaid, That [out of every] One Fourth Part of the Men voted annually by Parliament for Land Service, shall be established as Marines ; and that if any such Marine Soldier
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shall signify to any Commander or Commanders of his Majesty's Ships of War, [their] his Disposition and Inclination to become [Seamen] a Seaman, such Marine shall, if approved of by such Commander or Commanders, be discharged from his Service as a Marine Soldier, and shall from that time commence a Seaman in his Majesty's Navy ; and that out of such new Seaman's first Year's Wages, there shall be stopped and paid to the Captain of such Marine the Sum of Five Pounds, in order to raise a Recruit to be placed in his room as a Marine ; which said Sum of Five Pounds shall be paid to such Captain, by the Treasurer of the Navy, for the Service aforesaid, and shall be charged as due to the Captain on the Books belonging to such Ship, in which such Person shall serve as a Mariner.

Provided always, and be it further Enacted, by the Authority aforesaid, That, on any great Emergencies of State, it shall and may be lawful to and for his Majesty, his Heirs and Successors, to take into the publick Service any foreign Protestant Seamen, for such a limited time as shall be agreed upon, and to pay them full Pay or Wages, for such Time as they shall continue in the publick Service, giving and allowing them free Liberty; at the End or Expiration of such Time, to return to the Places whereunto they belong, unless they shall contract and agree to serve his Majesty, his Heirs and Successors, for a further or longer Term.

And be it further Enacted, by the Authority aforesaid, That for the due Execution of this Act, all the Seamen and Seafaring Men, serving on board his Majesty's Fleets, shall be punctually paid their full Pay and Wages, and regularly discharged, at the End of the Periods of Time appointed for their Service, according to the Directions of this Act given.

And be it further Enacted, by the Authority aforesaid, That the Commissioners of his Majesty's Navy, for the Time being, shall, within Thirty Days after the Opening of every Session of Parliament, deliver to each House of Parliament an annual Account of the Application of all the respective Sums of Money granted by Parliament for the Service of the Royal Navy, and in all the respective Branches of Wages, Wear and Tear, Ordnance and Victualling, or any other Naval Service ; that it may appear, that the Money so granted for the Services aforesaid, has been laid out in the best manner for answering the Purposes intended by this Act, and for the Defence of his Majesty's Kingdoms, and the Islands and Territories thereunto belonging, and for securing the Trade and Commerce thereof.

And

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And be it further Enacted, That at the End or sooner Determination of the Service of all such Seamen, Seafaring Men, Fishermen, Watermen, and Men getting their Living on the Water, as aforesaid, they shall receive their full Wages due to them for such their serving his Majesty, his Heirs and Successors, and shall have a Certificate from the Captain of their having so served respectively; and shall, by virtue of this Act, be exempted from being called upon for any publick Service, till all such liable to serve in their Rotation, shall in their Course have served likewise, that they may, during that Interval, be left at their free Choice of Acceptance of advanced Wages from the Merchants, or any other of his Majesty's Subjects having Occasion for their Service, for their being thereby fully compensated for their faithful Service during the Time of their Rotation, as aforesaid.

And, for the Encouragement of such Seamen as are now employed in his Majesty's Service; Be it further Enacted, by the Authority aforesaid, That all such Seamen and Seafaring Men, as are or shall be in the publick Service at the Commencement of this present Act, shall be, and they are hereby deemed and declared to be, in the First Rotation in this Act mentioned; and shall, at the Expiration of Eighteen Months, or sooner Determination of the Time the Publick may require their Service, be intitled to their Discharge, together with the full Payment of the Wages that shall then be due to them respectively, to the Day of the Determination of their said respective Services; and the proper Officer shall, and he is hereby empowered and required to, give to each Seaman and Seafaring Man a proper Certificate of his Service, and for exempting him from being called upon to serve the Publick, until all such other Seamen or Seafaring Men have served in their respective Rotations, according to the true Intent and Meaning of this Act.

**THE
BILL**

(With the AMENDMENTS)

*For the more Speedy and Effec-
tual Manning of His Ma-
jesty's Fleet.*

1743